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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
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9 Ellen Keates, et al.,

10 Plaintiffs,

11 v.

12 Michael Koile, individually as an employee  
13 with the State of Arizona Child Protective  
Services; et al.,

14 Defendants.  
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No. CV-15-01270-PHX-NVW

**ORDER**

16 This matter having recently come before this Court,  
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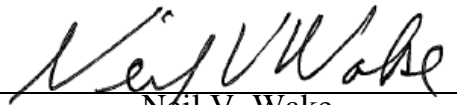
18 **IT IS ORDERED** that motions pursuant to Fed. R. Civ. P. 12(b)(6) and 12(c) are  
19 discouraged if the defect can be cured by filing an amended pleading. Therefore, the  
20 parties must meet and confer prior to the filing of such motions to determine whether it  
21 can be avoided. Consequently, motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) or  
22 for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c) must contain a  
23 certification of conferral indicating that the parties have conferred to determine whether  
24 an amendment could cure a deficient pleading, and have been unable to agree that the  
25 pleading is curable by a permissible amendment. In addition, parties shall endeavor not to  
26 oppose motions to amend that are filed prior to the Scheduling Conference or within the

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1 time set forth in the Rule 16 Case Management Order. Motions to dismiss that do not  
2 contain the required certification are subject to be stricken on the Court's motion.

3 Dated this 30th day of July, 2015.

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7 Neil V. Wake  
8 United States District Judge  
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